

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

1

The Minutes

April 10, 2000

- C033108 THE PEOPLE v. EDWARDS (Not for Publication)**
The judgment is modified to reflect the imposition of (1) a drug program fee of \$150 pursuant to Health and Safety Code section 11372.5, and (2) a criminal laboratory analysis fee of \$50 pursuant to Health and Safety Code section 11372.5. As modified, the judgment is affirmed. The trial court shall prepare a corrected abstract of judgment to reflect these amounts, and the associated penalty assessments, and shall forward a certified copy thereof to the Department of Corrections.
KOLKEY, J.
We concur: Blease, Acting P.J.
 Morrison, J.
- C030466 CELESTINE v. GLASS, MOLDERS, POTTERY, PLASTICS & ALLIED WORKERS INTERNATIONAL UNION (AFL-CIO) et al. (Not for Publication)**
The judgment is reversed. In so doing we note that a damages issue arises since plaintiff's only remaining claims are those for violation of FEHA. We have no occasion in this appeal to address the measure and availability of damages. Plaintiff also seeks to permanently enjoin defendants' unlawful practices. However, we note that an injunction cannot be granted where no unlawful act is threatened at the time of the hearing. (Engle v. City of Oroville (1965) 238 Cal. App. 2d 266, 269.) Since plaintiff is no longer a member of Local 177, there is no basis upon which to grant injunctive relief. Plaintiff is awarded her costs on appeal.
BLEASE, Acting P.J.
We concur: Nicholson, J.
 Raye, J.
- C031880 THE PEOPLE v. MEADOWS (Not for Publication)**
The judgment is affirmed.
KOLKEY, J.
We concur: Sims, Acting P.J.
 Raye, J.

April 10, 2000 continued

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

2

The Minutes

- C033105 THE PEOPLE v. GUTOWSKI (Not for Publication)**
The judgment is affirmed. The trial court is directed to prepare an amended minute order of June 15, 1999, and an amended abstract of judgment, reflecting the court imposed a consecutive unstayed term of one year (one-third the middle term) for count 2. The trial court is further directed to forward a certified of the amended abstract of judgment to the Department of Corrections.
SCOTLAND, P.J.
We concur: Davis, J.
 Morrison, J.
- C023075 CALIFORNIA ASSOCIATION, etc., et al. v. DEPARTMENT OF FISH
AND GAME et al.; MILLS et al.**
C023184 MILLS v. DEPARTMENT OF FISH AND GAME et al.
(Certified for Partial for Publication)
The appeal in case number C023075 is dismissed. The judgment is case number C023184 is affirmed in part and reversed in part as explained above. In both cases, Mills shall pay the costs on appeal
RAYE, J.
We concur: Sims, Acting P.J.
 Nicholson, J.
- C027280 TENET HEALTHSYSTEM HOSPITALS, Inc. v. BELSHE, as Director,
etc. (Not for Publication)**
The judgment is affirmed to the extent it finds the Department abused its discretion in calculating DSH payment adjustments without considering the financial summary data which was available before the applicable date determination dates and disclosed that JFK Hospital's Medi-Cal revenues were less than the amount reflected on the paid claims tapes. The judgment is reversed to the extent it mandates retroactive financial relief to JFK Hospital, which involves a recalculation of the DSH payment adjustments for prior years.
SCOTLAND, P.J.
We concur: Davis, J.
 Callahan, J.
- C031287 THE PEOPLE v. WHITE (Not for Publication)**
The judgment is affirmed.
Scotland, P.J.
We concur: Davis, J.
 Hull, J.

April 10, 2000 continued

5

April 13, 2000 continued

...
There is no change in judgement.
The petition for rehearing is denied.
DAVIS, J.
Morrison, J.

C033776 **In re PATRICK S.; DEPARTMENT OF HEALTH & HUMAN SERVICES**
v. KYM H. (Not for Publication)
The orders of the juvenile court are affirmed.
NICHOLSON, J.
We concur: Sims, Acting P.J.
Morrison, J.

C028001 THE PEOPLE v. GARCIA
Appellant's petition for rehearing is denied.
SCOTLAND, P.J.

6

April 14, 2000 continued

We concur: Sims, Acting P.J.
 Raye, J.

We concur: Scotland, P.J.
Davis, J.